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Tab C

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C O N F I D E N T I A L

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D R A F T
25 Nov 59

REGULATION

PERSONNEL
Date

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SEPARATION OF SURPLUS PERSONNEL

1. GENERAL

In the event it becomes necessary to reduce administratively the number of employees in the Agency, or in any component part of it, or among any defined category of personnel, this Regulation will apply to the exclusion of all other regulations pertaining to involuntary separation of personnel. However, whether the separation of surplus personnel is contemplated or in process, there is no suspension of the Agency's responsibility and authority to remove, demote, or reassign any employee whose conduct or capacity is such that such action will promote the efficiency of the service. This Regulation does not apply to such cases. A program or programs involving separation of surplus personnel will be promulgated in accordance with the provisions of this Regulation set forth below.

2. POLICY

a. The protection of intelligence sources and methods, with which the Director of Central Intelligence is specifically charged by the National Security Act of 1947, as amended, prohibits divulging the names, official titles, salaries, and numbers of personnel employed by the Agency. The separation of personnel surplus to the Agency's needs, therefore, cannot be carried out pursuant to the Veterans' Preference Act of 1944, as amended, or the Civil Service Commission

TAB C

C O N F I D E N T I A L

C O N F I D E N T I A L

regulations promulgated thereunder.

b. To this end, Section 6 of the Central Intelligence Agency Act of 1949, as amended, provides that the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the Act of August 28, 1935 (49 Stat. 956, 957; 5 U.S.C. 654), and the provisions of any other law which require the publication or disclosure of names, official titles, salaries, or numbers of personnel employed by the Agency. Accordingly, such separations will be carried out under the authority granted to the Director of Central Intelligence in section 102(c) of the National Security Act of 1947, as amended, which provides that notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States. Therefore, the standards governing such separations will be those set forth below exclusively, and no employee will be entitled to consideration under standards set forth in any other law or regulation, nor will any employee be entitled to appeal to the Civil Service Commission any determination of the Agency. Nor will any standards or procedures set forth herein have any application to involuntary separation actions carried out under the authority of Regulation [REDACTED]. Nor shall the authority of this Regulation be invoked for separations which properly should be processed under the authority of Regulation [REDACTED]. Termination of employment under this Regulation, [REDACTED] shall not affect the right of the officer or employee to seek or accept employment

TAB C
p. 2

C O N F I D E N T I A L

in any other department or agency of the Government if declared eligible for such employment by the U. S. Civil Service Commission.

c. The record of past performance, accomplishments, and contribution to the mission of the Agency of each individual being considered for separation shall be thoughtfully weighed along with the assessment of current performance and potential.

d. Personnel shall be separated from employment as a result of manpower adjustments only after all possibilities have been exhausted for their reassignment to other positions commensurate with their skills and ability.

e. The employment of personnel shall not be jeopardized by reason of the circumstances or accident of the location of their assignments at the time personnel reductions are made.

TAB C
p. 3